



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

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AUG 01 1991



Ms. Joan Lewis
Paralegal
Corning, Incorporated
Legal Department
Corning, New York 14831

REPLY TO ATTENTION OF:
5H-12

RE: Freedom of Information Act, RIN #2597-91

Dear Ms. Lewis,

This letter is written in response to your request for information under the Freedom of Information Act in a letter dated June 17, 1991. In this letter, you requested any documents linking Corning, Incorporated with the Albion-Sheridan Township Landfill Site.

The Albion-Sheridan Township Landfill was privately owned and operated. The owner of the Albion-Sheridan Township Landfill entered into a contract with the City of Albion to accept municipal and industrial wastes from residents and companies in the Albion area. Surrounding townships also utilized the landfill for the purpose of waste disposal. Conversation records with the owner of the landfill, Gordon Stevick, indicate that Corning Glass utilized the landfill for disposal. Copies of these documents are enclosed.

While it is the policy of the U.S. Environmental Protection Agency, Region V, (Agency) to make the fullest possible disclosure of records to the public, and certainly to potentially responsible parties (PRPs) involved in actions with the Agency, certain matters are exempt from the mandatory disclosure requirements of 5 U.S.C. § 552(a). Section 552(b) of Title 5 of the United States Code, 5 U.S.C. § 552(b), sets forth nine categories of matters which are exempt from the mandatory disclosure requirements. These categories are also set forth in 40 CFR § 2.118.

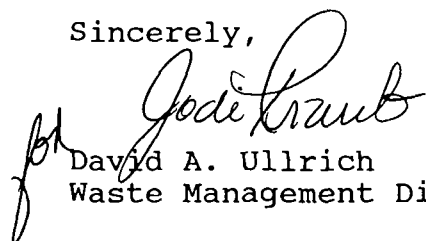
At this point in time, the Agency has some additional liability information in its possession relating to your involvement with the Albion-Sheridan Township Landfill in the form of two pages of conversation notes. However, the production of such documents could "reasonably be expected to interfere with enforcement proceedings," falling clearly within the scope of 40 CFR § 2.118 (a)(7)(i)(A). Therefore, pursuant to the aforementioned exemption, the Agency exercises its right of withholding such documents. As the Agency becomes able to release certain information, we will do so and will forward copies to you at that point.

If you wish to appeal this denial, you may do so by submitting such an appeal in writing to the FOIA Officer (A-101), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, within thirty (30) days of receipt of the initial denial. Please refer to the date of this letter, my name, title and address, and the Request Identification Number (RIN # 2597-91).

The Agency still encourages you to become more familiar with the Albion-Sheridan Township Landfill Site. Enclosed are additional documents from the Albion-Sheridan Landfill file. Richard Geiger of Corning, Incorporated expressed an interest in these additional documents at a July 2, 1991 meeting with U.S. EPA concerning the Remedial Investigation and Feasibility Study (RI/FS) to be conducted at the site.

Should you have any further questions regarding this Site, please contact Beth A. Henning, of the Office of Regional Counsel, at (312) 886-6831. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "David A. Ullrich".

David A. Ullrich
Waste Management Division

Enclosures